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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

PACIFIC REGIONAL SEMINAR TO REVIEW THE SITUATION IN THE NON-SELF-GOVERNING TERRITORIES, PARTICULARLY THEIR POLITICAL EVOLUTION TOWARDS SELF-DETERMINATION BY THE YEAR 2000, HELD AT PORT MORESBY, PAPUA NEW GUINEA, FROM 12 TO 14 JUNE 1996

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I. INTRODUCTION

1. On 22 November 1988, the General Assembly adopted resolution 43/47, entitled "International Decade for the Eradication of Colonialism", which read in part as follows:

> "The General Assembly,
>
> ...
>
> "1. Declares the period 1990-2000 as the International Decade for the Eradication of Colonialism;
>
> "2. Requests the Secretary-General to submit to the General Assembly at its forty-fourth session a report that would enable the Assembly to consider and adopt an action plan aimed at ushering in the twenty-first century, a world free from colonialism."

2. At its forty-sixth session, the General Assembly adopted resolution 46/181 of 19 December 1991 entitled "International Decade for the Eradication of Colonialism", and the plan of action contained in the report of the Secretary-General (A/46/634/Rev.1) "aimed at ushering in, in the twenty-first century, a world free from colonialism", in which, inter alia, it requested the Special Committee "to organize during the Decade seminars in the Caribbean and Pacific regions alternately, as well as at United Nations Headquarters, to review the progress achieved in the implementation of the plan of action, with the participation of the peoples of the Non-Self-Governing Territories, their elected representatives, the administering Powers, Member States, regional organizations, specialized agencies, non-governmental organizations and experts".

3. In its resolution 46/70 of 11 December 1991, calling for coordinated assistance of the specialized agencies to the remaining Non-Self-Governing Territories, the General Assembly stated that:

> "in addition to general problems facing developing countries, the remaining Non-Self-Governing Territories, many of which are small island Territories, also suffer handicaps arising from the interplay of such factors as their size, remoteness, geographical dispersion, vulnerability to natural disasters, the fragility of ecosystems, constraints in transport and communications, great distances from market centres, weak indigenous technological capacity, the acute problem of obtaining freshwater supplies, heavy dependence on imports and a small number of commodities, depletion of non-renewable resources, migration, particularly of personnel with high-level skills, shortage of administrative personnel and heavy financial burdens".

4. In its resolution 50/39 of 6 December 1995, the General Assembly approved the report of the Special Committee (A/50/23), which inter alia called for the holding of a seminar in the Pacific region, to be organized by the Committee, in

1996, to be attended by the representatives of all Non-Self-Governing Territories.

5. As stated in the guidelines and rules of procedure for the Seminar (A/AC.109/2042), the purpose of the Seminar was to assess the situation in the Non-Self-Governing Territories, particularly their political evolution towards self-determination by the year 2000. The Seminar was also to identify areas in which the international community could increase and enhance its participation in programmes of assistance and development and adopt a comprehensive and integrated approach to ensure the viable and sustainable development of the Territories concerned.

6. The topics considered by the Seminar will assist the Special Committee in a realistic evaluation of the situation in the Non-Self-Governing Territories. The Seminar gave pre-eminence to a broad range of views of the peoples of those Territories. It secured the participation of organizations and institutions that were actively involved in the political, economic and social development of these Territories and of selected non-governmental organizations with long and established experience in island Territories. Special emphasis was placed on the participation of organizations of the United Nations system with a view to formulating programmes of assistance to Non-Self-Governing Territories aimed at enhancing their viable and sustainable development.

7. The contributions of the participants served as a basis for the conclusions and recommendations of the Seminar, which will assist the Special Committee in its consideration of the situation in the Non-Self-Governing Territories during its 1996 session.

II. ORGANIZATION OF THE SEMINAR

8. The Seminar was held at Port Moresby, Papua New Guinea, from 12 to 14 June 1996.

9. The Seminar held six meetings in which representatives of Non-Self-Governing Territories, administering Powers, States Members of the United Nations, non-governmental organizations, regional organizations, eminent persons invited as special guests and observer took part. The list of participants is given in annex III to the present report.

10. The Seminar was conducted by H.E. Mr. Utula Utuoc Samana, Permanent Representative of Papua New Guinea to the United Nations and Acting Chairman of the Special Committee, with the participation of the following other members of the Special Committee: Cuba, the Syrian Arab Republic and the United Republic of Tanzania.

11. At the 1st meeting, on 12 June 1996, the following representatives were appointed as officers of the Seminar: H.E. Mr. Pedro Nuñez-Mosquera (Cuba) as Vice-Chairman and H.E. Mr. Daudi Ngelautwa Mwakawago (United Republic of Tanzania) as Rapporteur.

12. Given the fact that the Seminar had a very tight schedule, it was decided to make a departure from the normal practice of appointing a Chairman of the Drafting Committee and instead it was suggested that all participants contribute to the drafting, particularly to the proposals and recommendations to be consolidated by the Secretariat and presented to the Seminar for consideration and adoption.

13. The agenda of the Seminar contained the following topics:

1. Political issues

(a) Self-determination: concept and its application to Non-Self-Governing Territories;

(b) Options of self-determination available to the peoples of the Non-Self-Governing Territories under General Assembly resolutions 1514 (XV) and 1541 (XV) of 14 and 15 December 1960:

(i) Independent statehood;

(ii) Free association with an independent State;

(iii) Integration with an independent State;

(c) Any other options of self-determination.

2. Economic and social issues

(d) Economic and social development in the small island Territories and their impact on the exercise of the right to self-determination;

(e) Constraints faced by and development options available to the small island Territories;

(f) The problems of small, structurally open economies: heavy dependence on imports, a limited number of commodities and highly restricted internal markets;

(g) Food production: development of small-scale agricultural activities, and of fisheries;

(h) Development of tourism: its impact on the economic and social sectors, and on the environment;

(i) The issue of drug trafficking and money laundering;

(j) Development of financial management expertise and of skills necessary to negotiate and manage foreign investments; gaining access to adequate information systems;

(k) Development of industries and of indigenous technological capacities and manufacturing for export;

(l) Human resources development and the consequences of emigration and immigration;

(m) Implications for the island Territories of issues pertaining to the environment and to development, such as global warming, sea-level rise, sustainable development and Agenda 21;

(n) International and regional cooperation in order to mitigate the effects of natural disasters: provision of assistance and coordination of relief preparedness and prevention;

(o) The role of the specialized agencies, international organizations and regional organizations in the economic and social development of the Territories;

(p) Access of Non-Self-Governing Territories to programmes and activities of the United Nations system with the aim of identifying areas in which technical and other assistance could be provided;

(q) Particular areas in which regional cooperation requires strengthening both by the Territories concerned and international agencies: preservation and protection of marine resources from over-exploitation; sea and air transport; disaster preparedness and relief; higher education; research and development; and regional pooling arrangements for sharing special skills and expertise;

(r) Questions relating to the law of the sea and the Non-Self-Governing Territories;

(s) Impact of the international conferences (namely, the United Nations Conference on Environment and Development, 1992; International Conference on Population and Development, 1994; World Summit for Social Development, 1995; and the World Conference on Women, 1995) on Non-Self-Governing Territories.

III. CONDUCT OF THE SEMINAR

A. Proceedings of the Seminar

14. The Seminar was called to order at 10 a.m. on 12 June by H.E. Mr. Utula Utuoc Samana in his capacity as Chairman of the Seminar. Ambassador Samana introduced the Prime Minister of Papua New Guinea, The Rt. Hon. Sir Julius Chan, GCMG, KBE, MP.

15. Sir Julius Chan opened the Seminar and delivered his address, which is reproduced in extenso in annex I to the present report.

16. At its 6th meeting, the representative of the Vice-Chairman made a statement on the Week of Solidarity with Peoples of All Colonial Territories Fighting for Freedom, Independence and Human Rights (27-31 May 1996) which read as follows:

"Since 1972, in accordance with General Assembly resolution 2911 (XXVII), the Governments and peoples of the world have been observing annually a Week of Solidarity with the Peoples of All Colonial Territories. This celebration is in full accord with the purposes and tenets embodied in the Charter of the United Nations and is in conformity with the principles enshrined in the Declaration on the Granting of Independence to Colonial Countries and Peoples, which is contained in Assembly resolution 1514 (XV).

"Today, when our Organization takes a closer look at its achievements, its success in the field of decolonization is universally recognized. Hundreds of millions gained their freedom and independence in the surge of decolonization following the creation of the United Nations. Their membership in the United Nations as sovereign States strengthened the fundamental basis of the international community.

"We remember the history of the struggles against colonialism and pay tribute to all those who took part in them. We remain mindful of the sacrifices that made it possible for hundreds of millions of peoples to achieve self-determination and independence.

"However important the success in the field of decolonization, the task is still unfinished in that area and requires further concerted and determined action on the part of all those involved. There are still peoples who have not been able to exercise their right to self-determination. These are mostly peoples of small island Non-Self-Governing Territories located mainly in the Pacific and Caribbean regions. They are confronted, inter alia, by problems of their small size, low population, geographic remoteness, limited natural resources and vulnerability to natural disasters. Their situations require new and innovative solutions geared towards the implementation of the International Decade for the Eradication of Colonialism launched by the General Assembly in 1988.

"Convinced as we are that in the decolonization process there is no alternative to the principle of self-determination, we once again reiterate the legitimacy of all options of self-determination consistent with General Assembly resolutions 1514 (XV) and 1541 (XV) as long as it is ascertained that they are the freely expressed wishes of the peoples concerned. We should continue to exercise flexibility and realism in our endeavours to complete the process of decolonization. The wishes of the peoples of the Non-Self-Governing Territories should not be ignored when examining once again the options of self-determination available to them.

"In that connection, we further appeal for the strengthened and continued support of the administering Powers, whose cooperation with the Special Committee is essential for the progress of the Territories towards self-determination. We count on the support from the specialized agencies, which should continue to assist the Non-Self-Governing Territories in enhancing their standard of living and promoting their self-sufficiency. We count on regional and international organizations, which should explore new avenues to provide the Non-Self-Governing Territories with legal and political opportunities for participating in programmes that relate to

their environment and livelihood. We count on support for our efforts from all Member States and non-governmental organizations.

"We hope and believe that our combined, unrelenting efforts will ensure the fulfilment on the promise for freedom, lasting peace, sustained growth and sustainable development for all the peoples of our planet in accordance with the purposes and principles of the United Nations."

17. At its last meeting, on 14 June, the Seminar heard the statement by the Hon. Kilroy Genia, Minister for Foreign Affairs and Trade of Papua New Guinea. The statement is reproduced in full in annex II to the present report.

B. Summary of statements and discussions

18. In his statement, the Chief Minister of Gibraltar reiterated the resolve of the people of Gibraltar to gain international recognition of their right to self-determination. He rejected the position of the administering Power which curtailed the Territory's right to self-determination by the provisions of the Treaty of Utrecht of 1713. He emphasized that since 1704 the population of Gibraltar had acquired a separate and distinct identity. He also rejected the position of the Kingdom of Spain which argued that Gibraltar had no right to self-determination and that the sovereignty of the Territory should be transferred from the administering Power to Spain. The Chief Minister of Gibraltar stated that the preferred option of his Government would be a "fourth option" for decolonization, namely "any other political status freely determined by the people". This would enable people of Gibraltar to give due consideration in pursuing the constitutional evolution which maintained links with the administering Power, whilst preserving the Territory's integral membership in the European Union. The Chief Minister asked the Special Committee to include a reference to the Territory's position on dialogue between the administering Power and Spain and no longer endorse annual consensus resolutions on Gibraltar without recognizing the right of the people of Gibraltar to participate fully and securely in such dialogue. He also asked the Special Committee to respond to Gibraltar's request made in 1995 to give consideration to the relevance of the Treaty of Utrecht as regards the option for self-determination available to the people of Gibraltar.

19. In her statement, the representative of the Falkland Islands (Malvinas) reiterated the position of the people of the Territory that neither the Falkland Islands (Malvinas) nor the administering Power recognized Argentina's claim to sovereignty to the Islands. She requested that the Special Committee recognize her Territory's right to self-determination and to include reference to that right in the resolution on the question of the Falkland Islands (Malvinas) to be considered by the Special Committee.

20. In his statement, the representative of the Timorese Democratic Union reiterated the position of his movement that East Timor had a distinctive cultural identity dramatically different to Indonesia. He stated that the situation with regard to human rights in East Timor had worsened and requested the Special Committee to convey the wish of the East Timorese that the United Nations take more concrete measures to make Indonesia comply with the relevant

resolutions of the United Nations. He also reiterated the wish of the East Timorese that the United Nations call upon Indonesia to withdraw from East Timor, let Portugal complete the decolonization process and allow the East Timorese to exercise their right to self-determination through an internationally supervised act.

21. In his statement, the Deputy Chief Minister of the Turks and Caicos Islands referred to a recent dispute between the Territory and the Governor appointed by the administering Power and to a petition by the Territory addressed to the administering Power to recall the Governor. He also stated that the administering Power had not lived up to its responsibilities to assist the Territory in its political evolution towards self-determination by the year 2000. He stated that the Territory's elected representatives had little control over priorities and funds for developing the basic infrastructure of the Islands. He also referred to the problems created in the Islands by the illegal Haitian immigrants. The Deputy Chief Minister called upon the Special Committee to visit the Territory and ascertain the wishes of the people of the Turks and Caicos Islands to prepare themselves for self-government.

22. In his statement, the representative of the Front de libération nationale kanake socialiste (New Caledonia) reiterated the position of his movement on the process of self-determination of Kanaks in New Caledonia and on the Matignon Accords. He called for a United Nations visiting mission to the Territory to obtain first-hand information on the process of self-determination of Kanaks. He also expressed his concern that the vote by non-Kanak population might negatively affect the results of a future 1998 referendum on self-determination. He reiterated the strong desire of the people of New Caledonia for independence.

23. The representative of Indonesia reiterated the deep-rooted commitment of his Government to the cause of decolonization. He stated that the decolonization process must recognize the realities of each specific Non-Self-Governing Territory and that close cooperative links between the administering Powers and the majority of population in the Non-Self-Governing Territories were important so as to foster an awareness of the various possibilities open to the population and at the same time the need to achieve sustainable development. He said that it was imperative for administering Powers to protect fragile economies of the small island Non-Self-Governing Territories by strengthening and diversifying them through cooperative endeavours based on mutual trust and equality. He called upon the Special Committee to continue to exert every effort to expedite the attainment of a noble goal of decolonization and called for a close cooperation between the Special Committee and the administering Powers.

24. The representative of Spain stated that General Assembly resolution 1514 (XV) emphasized the link between the principle of self-determination and the territorial integrity of Member States. He also said that several resolutions of the General Assembly (2353 (XXII) and 2429 (XXIII)) stated that in Gibraltar's case decolonization would be reached through the recovery of the full territorial integrity of the Kingdom of Spain. He referred to the negotiations between the United Kingdom of Great Britain and Northern Ireland and Spain since the bilateral Declaration of Brussels of 27 November 1984. The representative of Spain stated that both the United Kingdom and Spain recognized

that it was important for Gibraltar to develop a sustainable economy and that there was a problem of illegal trafficking, particularly drugs, in the area of Gibraltar. He said that local authorities of Gibraltar had not participated in the Brussels process of negotiations, nor had they implemented the agreement already reached by the United Kingdom and Spain. He said that the process of decolonization of Gibraltar must take into consideration the legitimate interests of its population and its peculiarities in a far-reaching system of self-administrative autonomy. He suggested that in its recommendations the Seminar should urge the United Kingdom to conclude the negotiations for the decolonization of the Territory in conformity with the United Nations resolutions and the restoration of full territorial integrity of the Kingdom of Spain.

25. The representative of Argentina stated that the question of the Malvinas Islands affected the territorial integrity of the Argentine Republic and was linked to the deepest feelings of its people. She referred to the relevant resolutions of the Special Committee and the General Assembly which recognized the existence of a dispute between Argentina and the United Kingdom over the sovereignty of the Malvinas Islands. She also stated that the United Nations interpretation of self-determination was not to grant British citizens in the Malvinas the right to self-determination which would mean accepting that they become arbitrators in a territorial dispute of which their country was a party. Argentina had repeatedly expressed its commitment and interest to preserve the style and way of life of the inhabitants of the Islands and, in order to do so, its readiness to offer necessary guarantees and safeguards. She concluded by reiterating Argentina's readiness to resume negotiations with the United Kingdom to reach a peaceful and long-lasting solution to the dispute over the sovereignty.

26. In his statement, the administrator of Tokelau (New Zealand) stated that while speaking as a representative of an administering Power, he was in fact wearing equally another hat, which was Tokelauan. He stated that Tokelau demonstrated in its current phase of its political evolution that decolonization could be successfully achieved through the combined determination of three actors: the people of the Territory in question, the administrating Power, and the United Nations. He also drew the attention of participants to the fact that decolonization patterns and experience might not provide in themselves a sufficient or fully reliable guide to the United Nations as it sought to discharge its remaining decolonization mandate. He referred to recent developments in the Territory and emphasized that the process was Tokelau driven and that Tokelau was moving to a style and form of self-government that genuinely fitted its environment. New Zealand's role was in assisting development and fulfilment of aspirations in Tokelau. The administrator of Tokelau referred to the Tokelau Amendment Bill, which provided the Territory with formal powers to enable it to establish and operate its own national Government. In conclusion, he called upon the participants to investigate more fully and without prejudice options other than independence and status quo in future seminars.

27. In his statement, the representative of Portugal restated the position of his Government that owing to the 1975 invasion of the Territory, Portugal was unable to perform its duties vis-à-vis the East Timorese people and conclude the

process leading to their self-determination. With reference to reports compiled by the United Nations human right bodies and internationally recognized non-governmental organizations, he described the human rights situation in East Timor as worsening. He also referred to an ongoing dialogue between Portugal and Indonesia on the question of East Timor under the auspices of the United Nations Secretary-General and stated that the two sides had agreed during the sixth round of talks to start discussing substantive matters, identified by the Secretary-General, to explore possible paths to achieve a just, global and internationally acceptable solution for the East Timor issue. He emphasized that the solution could not be found and would not last without the support of the East Timorese people. His Government was striving for the completion of the decolonization process with full respect for the legitimate rights of the people of East Timor as recognized by the Charter of the United Nations and by the relevant General Assembly and Security Council resolutions.

28. The participants discussed in detail the political, economic and social developments in the Non-Self-Governing Territories with a particular emphasis on constitutional and political evolution of the Territories towards self-determination and the eradication of colonialism by the year 2000, a goal set by the General Assembly in its resolution 46/181 entitled "International Decade for the Eradication of Colonialism" and the plan of action aimed at ushering in the twenty-first century, a world free of colonialism.

29. They examined the options available to the peoples of the Non-Self-Governing Territories, especially with reference to the Territories located in the Pacific region. In this regard they noted the remarkable progress achieved by the people of Tokelau in finding a formula for self-determination fully compatible with their aspirations, traditions, current level of socio-economic and political awareness as well as with their unique experience. The participants praised the role of the administering Power, New Zealand, in assisting the development and fulfilment of the aspirations of the people of Tokelau. The participants also noted with satisfaction the recent adoption of the Tokelau Amendment Bill by the New Zealand Parliament which provided the Territory with formal powers to enable it to establish and operate its own national Government.

30. In examining the situation in New Caledonia, the participants assessed various factors affecting the process of decolonization of that Territory, including the position of the administering Power as well as political polarization over the issue of independence among various political parties and movements in the Territory. In this regard, the participants noted that sending of a fact-finding mission to New Caledonia would facilitate ascertaining the wishes of its people. They also called for wider support for self-determination of the Territory at various United Nations forums. One participant suggested an increased role for the Special Committee in facilitating negotiation and conciliation efforts between the administering Power, regional organizations, political parties and movements in New Caledonia's self-determination process.

31. The participants discussed the situation in Guam with an emphasis on the right of indigenous Chamorro people to self-determination. The participant from Guam specifically requested the Special Committee to resist any attempts to remove Guam from the list of the Non-Self-Governing Territories with which the

Committee was concerned pending the exercise of the right to self-determination by the Chamorro people, and requested the sending of a United Nations visiting mission to the Territory.

32. The participants also discussed the situation in East Timor, the Falkland Islands (Malvinas), Gibraltar and the Turks and Caicos Islands. The participants representing States Members of the United Nations - Argentina, Indonesia, Portugal and Spain - as well as other participants, including the representatives of the Non-Self-Governing Territories, exercised their right of reply during discussion of the situation in East Timor, the Falkland Islands (Malvinas) and Gibraltar.

IV. CONCLUSIONS AND RECOMMENDATIONS

33. At its final meeting, on 14 June 1996, the participants in the Seminar adopted by consensus the present report, containing the following conclusions and recommendations:

1. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) is not yet complete as long as there remain the Non-Self-Governing Territories that still have to exercise their right to self-determination.

2. The Seminar considered the options identified in General Assembly resolution 1541 (XV) to exercise the right to self-determination and examined the option of "free association with an independent State" as it might be of special interest to the small island Territories.

3. The Seminar agreed that the United Nations has a valid, ongoing role in the process of decolonization.

4. The Seminar expressed its concern that even after three-and-a-half decades since the adoption of the Declaration, there still remained a core of Non-Self-Governing Territories.

5. The Seminar took note of a suggestion that a fourth option should be considered as a legitimate means for decolonization, namely, "any other political status freely determined by the people".

6. The Seminar felt that the free association formula as it was being developed acknowledged the fact that local resources could not cover adequately the material side of self-determination and self-government without assistance from the former administering Power, the United Nations and the international community.

7. The Seminar reaffirmed that in the decolonization process there was no alternative to the principle of self-determination as enunciated by the General Assembly in its resolutions 1514 (XV) and 1541 (XV) and other relevant General Assembly resolutions.

8. The Seminar recommended that any negotiations to determine the status of a Territory must not take place without an active involvement and participation of the people of that Territory.

9. The Seminar reaffirmed that all available options for self-determination were valid as long as they were in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) and 1541 (XV) and other relevant General Assembly resolutions.

10. The Seminar reiterated the validity of the conclusions and recommendations adopted at its previous regional seminars in Barbados (1990), Vanuatu (1992), Papua New Guinea (1993) and Trinidad and Tobago (1995).

11. The Seminar felt that what the Territories needed was careful, informative exploration of realistic options for their political future. There should be more informed debate. It felt there was a particular need to investigate more fully and without prejudice options other than independence on one hand and the status quo on the other.

12. The Seminar recommended to the General Assembly that the Special Committee should have adequate means and resources to enable it to fulfil its mandate of eradicating colonialism by the year 2000 as required by the General Assembly in its resolution 46/181 and the plan of action.

13. The participants were of the opinion that members of the Special Committee and supporters of its work also needed to remain vigilant against attempts to limit or eliminate its activities on the grounds of costs, particularly when they emanated from States that were also administering authorities.

14. The Seminar recommended that the administering Powers should continue to cooperate with the Committee in order to enable it to complete its mandate with regard to the remaining Non-Self-Governing Territories.

15. The Seminar reiterated that the administering Powers, as a general rule, should adhere to the wishes of the people of the Territory in formulating any law for the Territory. The question of emigration from and immigration to a Territory should be addressed in a manner that would protect the interests of the peoples of that Territory.

16. The Seminar reaffirmed the need for the United Nations to send visiting missions to the Non-Self-Governing Territories to obtain first-hand information on the process of self-determination.

17. The Seminar recognized that for small island Non-Self-Governing Territories, self-determination was not an end in itself. It would necessitate the ongoing post-decolonization role of the United Nations.

18. The Seminar recognized that as most of the remaining Non-Self-Governing Territories were small islands with vulnerable ecosystems, the

programmes of assistance should be formulated by the administering Powers in cooperation with United Nations Development Programme (UNDP) and other agencies and institutions associated with the United Nations system, bearing in mind the specific and environmentally sensitive sustainable development needs of those Territories.

19. The Seminar agreed that the exercise of self-determination in the Non-Self-Governing Territories should be preceded by an education campaign to enable the peoples concerned to make their choice in full awareness of all available options in full conformity with the principles of self-determination embodied in the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant resolutions of the United Nations.

20. The Seminar reiterated the right to self-determination of the Chamorro people in Guam and recommended the sending of a United Nations visiting mission to the Territory.

21. The Seminar noted with satisfaction the positive constitutional developments that had occurred in the Territory of Tokelau.

22. In regard to New Caledonia, the Seminar felt that the Special Committee should pursue a two-track formula to contribute to the achievement of self-determination for New Caledonia. In that regard, the Seminar recommended the following action:

(a) Sending a fact-finding mission to New Caledonia as soon as possible;

(b) Supporting the claims for self-determination for New Caledonia in relevant forums of the United Nations;

(c) Facilitating political education to assist participants in New Caledonia's political process, both in self-determination referendums and with respect to self-determination rights and obligations;

(d) Participating in ensuring fair preparation and conduct of self-determination referendums.

The Seminar also recommended that the Special Committee in cooperation with States members of the South Pacific Forum support negotiation and conciliation efforts between the Government of France and the political parties of New Caledonia.

23. The Seminar felt that Governments in the region needed to be vigilant in dealing with efforts to weaken their commitment to eradicate the final vestiges of colonialism.

24. The Seminar was of the opinion that inadequacy of political, economic, social and educational preparedness should never serve as a pretext for delaying the right to self-determination and independence.

25. The Seminar recommended that the Special Committee should expedite its efforts to find a satisfactory solution to the question of East Timor.

34. At the same meeting, the participants adopted a resolution expressing appreciation to the Government and people of Papua New Guinea, which is reproduced in annex IV to the present report.

ANNEX I

Statement by Sir Julius Chan, GCMG, KBE, MP, Prime Minister of Papua New Guinea, on 12 June 1996

Under the auspices of the Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali, and the Bureau of the Special Decolonization Committee of the United Nations, today sees the start of the United Nations Pacific Regional Seminar on decolonization.

I welcome all distinguished Committee members, together with your supporting staff, the experts whom you will be consulting, and the many other people who will be making submissions.

Despite some confusion over when this Seminar was to be held, I feel that its eventual timing has worked out well.

Papua New Guinea has just hosted the Tenth Summit of the Melanesian Spearhead Group. The sovereign States of the Solomon Islands, Vanuatu, Fiji and Papua New Guinea - all of us former colonies - were joined by representatives of the Front de Libération nationale kanake socialiste (FLNKS) of New Caledonia, to discuss matters relevant to our grouping, and to our area.

We are an extended family, of five countries. Four of us are independent nations - one of us is not. New Caledonia is still a colony, administered by a colonial authority half way across the world.

The point I make, in a quiet way, is that all five of us considered ourselves competent enough to discuss any matter at all that touches on our lives, and the welfare of our peoples.

Papua New Guinea has been fortunate. We achieved our independence without any bloody battles, and without bitterness.

Our country has had a long and close relationship with the Special Committee. Before our independence, the Special Committee participated in two United Nations visiting missions that reported on colonial conditions in our country.

Since then, Papua New Guinea has played an active part in the Committee's affairs. Two of our Ambassadors in New York have had the very great honour of gaining election as the Committee's Chairman. The latest is our current Permanent Representative, His Excellency Ambassador Utula Samana.

He has done more than merely justify the faith that his Government has in his dedication, energy and skills - by being elected Chairman only a few days ago.

You, Ambassador Samana, are beginning your term as Chairman during the second half of the International Decade for the Eradication of Colonialism. The deadline embodied in the Decade's name adds urgency to your important work.

It is an urgency that Papua New Guinea itself shares with other Governments and people in our region. Especially when it comes to the situation of our neighbours in the remaining colonial Territories in the South Pacific.

If you look at the list of Territories in which the Special Committee is concerned, then you will see that 5 out of 17 - almost a third, in fact - are in the South Pacific.

It is a sign of Papua New Guinea's openness that I can say my Government has been happy to host this Seminar, even though our views on the list are not always identical with those of the Special Committee.

Like Papua New Guinea, all of the South Pacific Territories on the list are island countries. Their populations and land areas are much smaller than ours.

But - their exclusive economic zones are large.

All of the five Territories are important to Papua New Guinea. They are important as neighbours, as fellow-managers of shared tuna stocks and other marine resources, and, most significantly, as home to fellow human beings entitled to self-determination.

We cannot ignore how the people of many colonial Territories continue to be denied the rights that Papua New Guineans now take for granted. When we try to fulfil our commitment to "Work the Pacific", in order to realize the region's outstanding potential, then we do not only focus on trade, investment and other forms of economic cooperation.

We also pay close attention to the human resources that remain confined under colonial rule. Our determination to see an end to colonialism in the region is clearly expressed in my Government's Pacific Plan.

As fellow Melanesians, we Papua New Guineans feel an especially close affinity for our near-neighbours, the indigenous Kanaks of New Caledonia.

As Pacific Islanders, we are concerned for the rights and well-being of the people of French Polynesia, Wallis and Futuna, Tokelau and Pitcairn.

And as people who have experienced rule by a number of different foreign powers, we are deeply concerned with the situation of others who remain under colonial rule - more than 50 years after the Charter of the United Nations declared that all members would "... develop self-government ... take due account of the political aspirations of the peoples, and ... assist ... in the progressive development of their free political institutions".

A little over 20 years ago, I had the honour and the privilege of serving in Government when Papua New Guinea became independent. My own priority, once it became quite clear that independence would really be ours, was with ensuring the quality of the system with which we, our children and their children would have to live.

When I look at the situation of people in the remaining colonial Territories in the region, I am dismayed to see that so little is being done - almost a generation later - to prepare them for the responsibilities that we have accepted as ours.

It is surely time for the South Pacific to leave colonialism completely behind. In many respects, the timetable set for the International Decade for the Eradication of Colonialism is much too slow. In fact ending colonial rule is only part of the point. Our real objective should be, not only to leave colonialism far behind, but to look well beyond decolonization.

We must establish what kind of region we want to live in ourselves - and what we then want to leave for our children to enjoy.

The declaration embodying the Melanesian Spearhead Group's Strategy for the next 10 years, issued only a few days ago, makes that point. So does the statement, issued in 1995, outlining the South Pacific Forum's Vision for the year 2020.

Both documents make it absolutely clear that the region's shared view of a desirable future is one in which colonial rule in New Caledonia comes to an early and orderly - and absolute - end, with special safeguards for the rights of the indigenous Kanaks.

The leaders who discussed the theme for the 1995 South Pacific Forum - and issued the Plan of Action for - "Securing Development Beyond 2000" were united in holding the strong conviction that decolonization is vital to peace and the prospects for development in our region.

As in other parts of the world, the framework in which South Pacific island countries have become independent has been consistent with international law, including mutual respect for the unity, integrity and sovereignty of States.

In fact, our region has been a global pioneer in devising and gaining acceptance of quite novel kinds of constitutional arrangements.

Papua New Guinea has not been alone in trying to accommodate inherited structures to suit local realities - and then adjusting them, in the light of experience, in order to ensure that government actually delivers services to our people.

We have done so through the reforms we have made to our provincial and local-level government systems - by the ways in which we have streamlined many official procedures, and in the attention we are giving to improving law and order.

We are certainly not unique in having to grapple with serious problems, some of which are obviously of the nation's own makings.

Many others are decidedly not. Whatever their origins, my Government is willing to make and implement the tough decisions required to overcome them.

Like every other independent country, Papua New Guinea is emphatically determined to maintain our nationhood; to protect ourselves against illegal and violent threats - whether they come from inside or outside.

We also insist that other States respect our right to resolve domestic difficulties for ourselves. Like our neighbours, we are committed to dealing with other States on the same basis.

Papua New Guinea's concern for New Caledonia does not, therefore, arise from any hostility or disregard for France.

In fact, quite the reverse; it is a product of our desire to put the colonial period behind us, and to develop relations on the basis of mutual benefit and regard.

Both the South Pacific Forum and the Melanesian Spearhead Group believe that, following the decision to stop nuclear testing in the region, France should now be readmitted as a Post-Forum Dialogue Partner.

We feel that it is a logical and justified move.

When the Melanesian Spearhead Group met on the Trobriand Island of Kiriwina, in the Milne Bay Province, a few days ago, we had the pleasure of welcoming Fiji as a fellow member.

Seated together in the traditional Melanesian way, we took the opportunity of being briefed, by our colleagues from the FLNKS, on the situation in New Caledonia.

Dismayed by suggestions that the process established - by agreement between all major parties - under the Matignon Accords may be delayed or derailed, we reaffirmed our strong commitment to early self-determination, with special safeguards for the Kanaks.

All of us expressed "total disappointment in the breakdown of recent talks between French authorities and the FLNKS on ... implementation".

Existing agreements must be respected, and we have called on France to adhere to them faithfully, both in letter and spirit.

As the current Chairman of the South Pacific Forum, I am pleased to report that the initiative we took in Madang last year - to propose that a regional ministerial mission should visit New Caledonia to report to the 1996 Forum on the situation there - continues to receive the strongest possible backing from other Governments in the region.

French Polynesia is not, of course, on the United Nations list of Territories with which the Special Committee is concerned. Its people do not feature on the agenda to be discussed over the next three days.

But - I am prepared to guess that people throughout the region will wonder why. Like them, I find it difficult to conceive of French Polynesia as part of

France, not only because of the physical distance between them, but because they seem so far apart in so many other ways.

Elsewhere in the region, former Territories that have become incorporated or freely associated with other States have done so after their people were given a choice, in a legitimate act of self-determination conducted before international observers.

It is hard to accept that French Polynesia should not be provided with a similar opportunity.

This is particularly so, when we recall the strong feelings many of its people expressed when protesting against France's decision to proceed with their last series of nuclear tests.

It is just as hard to accept that the people of Wallis and Futuna might be denied a similar choice.

It is not, let me add, the result of self-determination that most concerns my Government, but the exercise itself.

That is our prime concern.

Being a realist and looking to the future, "independence" in its classic sense, will not be the perfect answer for some Territories. They may want and deserve to gain political autonomy but still maintain links to their previous colonizer. They may desire, for economically viable reasons, to forge some form of federation-type relationship.

Some island States are so minute that it would seem impossible for them to survive in any other way. It is crucial that some smaller Territories are not just politically liberated - and then dumped to find their own way economically.

In closing, there would appear to be attempts to use the United Nations current financial difficulties to undermine the Organization's important works.

We need to be on our guard against this. In particular, we need to resist any efforts that might be made by remaining colonial powers, to resolve their financial and political concerns together, by trying to limit or close down the United Nations efforts in the field of decolonization.

It would be a bitter irony indeed if the International Decade for the Eradication of Colonialism did not achieve its declared objectives because - instead of colonialism - the Special Committee itself is brought to an early end.

Papua New Guinea has been honoured by the United Nations Special Committee's decision to conduct this important Seminar here in Port Moresby. We look forward to the benefit of all your deliberations.

We strongly support your efforts to secure the legitimate rights of the people in territories that the world knows to be still in a colonial situation. The decolonization process in the South Pacific is as yet unfinished.

For you, Mr. Chairman, and those of your colleagues who have visited our land before, welcome back.

To all others - welcome.

It is with great pleasure, then, that I declare open the United Nations Pacific Regional Seminar.

ANNEX II

Statement by Mr. Kilroy Genia, MP, Minister for Foreign Affairs and Trade of Papua New Guinea, on 14 June 1996

On behalf of the people and Government of Papua New Guinea, let me say how much we appreciate the opportunity to host this most important Pacific Regional Seminar of the United Nations Special Committee.

We have benefited from the information provided by the experts and participants who have come here in order to bring us all up to date on developments both in our immediate region and in far-distant parts of the world.

We have valued the occasions provided to express our own views, particularly on issues of special importance to Papua New Guinea, including the need to ensure continuing progress towards self-determination in New Caledonia, with special safeguards for the indigenous Kanaks.

We have been happy to welcome back old friends, and to make new ones.

Though I have not, unfortunately, been able to attend many of the sessions myself, my Department has been keeping me fully informed of proceedings.

The Prime Minister, the Right Honourable Sir Julius Chan, has already told you how pleased the people and Government of Papua New Guinea are at the honour conferred on our distinguished Permanent Representative to the United Nations, His Excellency Utula Samana, through his election as Chairman of the Special Committee.

The Government feels that the skill with which you have guided the Seminar to a successful conclusion, Mr. Chairman, not only justifies the confidence that we have in you, but reflects very well on the nation as a whole.

As Minister for Foreign Affairs and Trade, I now look forward to reading the conclusions that the Seminar has reached, and, more importantly, to considering how Papua New Guinea can help in their implementation.

Papua New Guinea's history, location and commitment to the principles of the Charter of the United Nations mean that for us the question of decolonization is more than just one of many items on a crowded international agenda.

It is an issue about which we care very deeply.

We do so because we believe that all colonized peoples and territories are entitled to exactly the same opportunities and responsibilities that are ours, and because of our particular concern - and strong fellow-feeling - for the indigenous Kanaks of New Caledonia.

Papua New Guinea has always had close links with other South Pacific island countries.

Those links find expression in the ease with which we achieve consensus in the Melanesian Spearhead Group and the South Pacific Forum.

Currently, Papua New Guinea is in the unique position of holding the Chairmanship of both organizations.

As you will be aware, the Melanesian Spearhead Group, in fact, met on one of our most beautiful islands, Kiriwina, in the Milne Bay Province, only a few days ago, to welcome Fiji as a member and to discuss a crowded agenda of important issues, including the situation in New Caledonia.

As the Right Honourable the Prime Minister has already informed you, the members of the Melanesian Spearhead Group were deeply concerned at any suggestion that the Matignon Accords might not be honoured, as previously agreed.

Members firmly endorsed the South Pacific Forum's strong support for implementation in full and without unnecessary delay.

They gave their complete backing to the 1995 Forum's decision to send a ministerial-level delegation to examine and report to the 1996 Forum on the situation in New Caledonia.

It is obvious that my Government completely supports the South Pacific Forum's and the Melanesian Spearhead Group's stated position.

Though we recognize that the other French Territories in the South Pacific are not on the United Nations list, we also believe that the work of the Special Committee will not be complete unless the International Decade for the Eradication of Colonialism is given effect there too.

In particular, even as we welcome the end of French nuclear testing in our region, Papua New Guinea believes that France has ongoing responsibilities to the South Pacific as a whole.

It is vital to ensure that the former nuclear test sites in French Polynesia are properly monitored for signs of any unwelcome after-effects of the testing programme, that the results are made available to other nations in the region, and that appropriate clean-up action is taken, as needed.

We call upon France to meet the responsibilities arising from its previous nuclear testing programme.

As the Right Honourable the Prime Minister has already stated, Papua New Guinea recognizes and welcomes the many positive aspects of the role that France plays in the South Pacific, including the contributions made under the Lomé Convention.

In doing so, we cannot, however, overlook France's continuing responsibility to maintain and continue improving the welfare of the people of French Polynesia now that the nuclear testing facilities are being wound down, and the economic spin-offs are being reduced.

When reviewing the resolutions adopted by the United Nations General Assembly earlier this year, I was pleased to note the sensitivity displayed to local conditions in the reference in resolution 50/38 to "the special circumstances of the geographical location and economic conditions of each Territory".

As a citizen of a country with a home-grown Constitution - and a member of a Parliament which has exercised its power to amend the Constitution to suit changing national needs - I welcome the United Nations recognition of the key importance of ensuring that institutions, laws and policies take full account of local conditions.

Believing that there is a close connection between development and real independence, I also welcome the emphasis given to economic growth and diversification.

It is, I believe, symbolic of the generally orderly and peaceful way in which decolonization has occurred in the South Pacific that resolution 50/38 notes "with appreciation the continuing exemplary cooperation of [New Zealand] with regard to the work of the Special Committee" and welcomes New Zealand's commitment to abide by the wishes of the people of Tokelau in determining their future political status.

My Government endorses the sentiments expressed in the resolution.

We believe that they provide a powerful demonstration of the possibility and desirability of a genuinely cooperative approach towards decolonization.

We urge other administering authorities to follow New Zealand's example.

The South Pacific has been particularly creative in devising approaches towards decolonization that take full account of local conditions.

The various forms of free association to be found in the region have, in fact, made important contributions to the theory and practice of decolonization, and, much more importantly, to meeting special national needs.

Just as we have benefited by learning of conditions and options under consideration in other parts of the world, I am sure that our visitors have gained from hearing about experience in our region.

That experience has, of course, been absolutely consistent with international law.

It has proceeded with full respect for the sovereignty, unity and integrity of States.

It is on the basis of continuing respect for such vital underpinnings of international law that Papua New Guinea remains committed to decolonization, and strongly supports the continuing work of the Special Committee.

Our support, let me add, is not simply for decolonization, as an end in itself.

Rather, following numerous United Nations resolutions and the issues discussed at this Seminar, we encourage the Special Committee in particular and the international community in general to look ahead.

We would especially welcome careful consideration of options that would help to maintain the security and promote the welfare of former colonies after decolonization.

The idea that the international community's responsibilities towards small island countries comes to an end at independence, is not one that we can accept at a time when the very survival of some of our neighbours is threatened by the prospect of disastrous climate change.

The issues and options that the South Pacific Forum is considering in relation to our current theme, "Securing Development Beyond 2000", show that a concern with the future well-being, of the entire region, including the ability to deal with possible criminal threats and natural disasters, is widely shared.

Papua New Guinea's firm commitment to "Work the Pacific" means that the region's concern forms part of the Government's Pacific Plan.

The South Pacific's remarkably progressive and successful approach towards regional cooperation means that we are especially well placed to work with the emphasis that the United Nations is giving to the role that regional organizations can play in achieving global goals.

We would, therefore, welcome the Special Committee's continuing consideration of relevant issues, including the ideas that participants in this Seminar have raised.

Finally, let me make it absolutely clear that, while I am honoured to deliver the closing statement at this Seminar, Papua New Guinea does not believe that the work of this Seminar or of the Special Committee will be over when we rise today.

In fact, it is obvious from what I have been saying about the need to think - and maintain vigilance - well beyond the end of colonial rule that we would not be responsible if we allow anyone to gain the mistaken impression that the important project of further decolonization is now over.

We have the interests of the people of the remaining Territories to consider.

We also have global issues to resolve that affect both them and us.

Papua New Guinea is fully aware of the financial difficulties in which the United Nations now finds itself.

The Government has, in fact, tried to help counter their negative effects on issues and activities of global importance by making a special contribution to support a national initiative at the United Nations, and by helping to host this Seminar.

We acknowledge the legitimate concerns that all United Nations members have in holding down unnecessary expenditures.

In fact, we share them.

But we also believe that certain issues, including decolonization, are of particular concern to some members.

We are also aware that different members may legitimately have different national objectives.

Papua New Guinea, therefore, believes that the United Nations should be on its guard against attempts to undermine our work for reasons that can only be inferred.

We remain firmly committed both to the objectives that the Special Committee is pursuing, and to its important work.

I am, therefore, pleased to say that Papua New Guinea is happy to have been able to host this Seminar, to take part in your deliberations, and to learn from your findings.

On behalf of the people and Government of Papua New Guinea, I wish you all well in your ongoing work, and godspeed as you return to your homes.

ANNEX III

List of participants

A. OFFICIAL DELEGATION OF THE SPECIAL COMMITTEE

Papua New Guinea	H.E. Mr. Utula Utuoc Samana, Permanent Representative of Papua New Guinea to the United Nations and Acting Chairman of the Special Committee
Cuba	H.E. Mr. Pedro Nuñez-Mosquera, Representative of Vice-Chairman of the Special Committee
Syrian Arab Republic	Dr. Farouk Al-Attar, Rapporteur of the Special Committee
United Republic of Tanzania	H.E. Mr. Daudi Ngelautwa Mwakawago, Member of the Special Committee

B. STATES MEMBERS OF THE UNITED NATIONS

Argentina	Ms. Maria Fernanda Cañas
Australia	Mr. Paul Davies
Fiji*	H.E. Mr. Poseci W. Bune
Indonesia*	H.E. Mr. Francisco Xavier Lopes da Cruz Mr. Thomas Samodra Sriwidjaja Mr. Domingos M. Dores Soares Mr. Tatang Deradjat Mr. Firdaus Mr. Entang Hidayat
Libyan Arab Jamahiriya	Mr. Ibrahim M. Merrh
Malaysia	Mr. Bakar Bin Aman
Philippines	Mr. Sulpicio M. Confiado
Spain	Mr. Agustin Santos Maraver
Vanuatu	Mr. Jean Sese

* Member of the Special Committee.

C. ADMINISTERING POWERS

New Zealand	Mr. Lindsay Watt
Portugal	Mr. Jose Fernando da Costa Pereira

D. REPRESENTATIVES OF THE NON-SELF-GOVERNING TERRITORIES

East Timor	Mr. João Carrascalão
Falkland Islands (Malvinas)	Ms. Norma Edwards
Gibraltar	The Hon. Peter Caruana Mr. Ernest Montado
New Caledonia	Mr. Rock Wamytan Mr. Richard Kaloi Ms. Iboudjhacem Matcha
Turks and Caicos Islands	The Hon. Samuel Harvey
Tokelau	Mr. Lindsay Watt

E. SPECIAL GUESTS

Mr. Ulafala Aiaveo (Western Samoa)

Ms. Helen Fraser (Australia)

Mr. Nicholas Maclellan (Australia)

Mr. Shaughn Morgan (Australia)

Mr. Peter Pirie (United States)

The Hon. Jeff Shaw (Australia)

Mr. Edward P. Wolfers (Australia)

F. NON-GOVERNMENTAL ORGANIZATIONS

Agence Kanak de Developpement	Mr. Sarimin Jacques Boengkih
Asia Pacific Group	Mr. Anthony Haas
Congres populaire	Mr. Yann Céléné Uregei
Fiji National Council of Women	Mrs. Tauga Vulaono-Nacanaitaba
Guam Landowners Association	Mr. Ronald Teehan
Individual and Community Rights Advocacy Forum	Mr. Powes Parkop
National Council of Women (Papua New Guinea)	Ms. Nahan Rooney
National Union of Students (Papua New Guinea)	Mr. Matthew Parep Mr. John Nabu

G. REGIONAL ORGANIZATIONS

South Pacific Forum	H.E. Mr. Poseci W. Bune (Fiji)

H. OBSERVER

Mr. Alejandro Betts

I. SPECIALIZED AGENCIES

United Nations Development Programme	Mr. Finn Reske-Nielsen Ms. Mina Siagura
World Health Organization	Dr. Chieh Yee Paul Chen

J. HOST COUNTRY

Mr. Peter Raka

Mr. Peter Eafeare

Mr. Kappa Yarka

Mr. Peter Waieng

ANNEX IV

Resolution on expression of appreciation to the Government and people of Papua New Guinea

The participants in the Pacific Regional Seminar,

Having met from 12 to 14 June 1996 at Port Moresby for the purpose of assessing the situation in the Non-Self-Governing Territories particularly their political evolution towards self-determination by the year 2000,

Having heard the important address by The Rt. Hon. Sir Julius Chan, Prime Minister of Papua New Guinea,

Express their profound gratitude to the Government and the people of Papua New Guinea for providing the Special Committee with the necessary facilities for its Seminar, for the outstanding contribution they have made to the success of the Seminar and in particular for the very generous and kind hospitality and the warm and cordial reception accorded to the participants and an observer throughout their stay in Papua New Guinea.